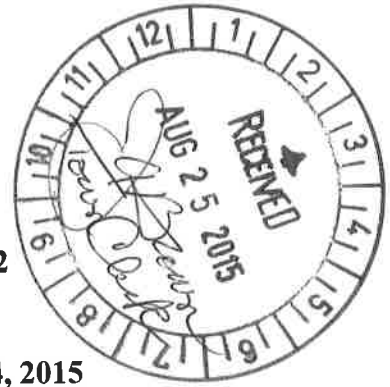




**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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MINUTES OF MEETING OF MONDAY MAY 4, 2015

**COUNCIL ON AGING
227 CHACE ROAD, EAST FREETOWN, MASSACHUSETTS**

6:00 P.M. **Call to Order** by Chairman Lee J. Baumgartner. Present are Selectman Lee Baumgartner, Selectman Paul Sadeck and Town Administrator Jack Healey. Meeting is being recorded by Selectman Paul Sadeck.

6:05 P.M. Board of Health Variance – 165 Chace Rd. – No abutter needed. Rick Charon is here to represent the engineering firm. This is no increase in the design flow with the exception of the ground flow. This would be a good improvement. Health Agent Kevin Bernardo recommends a deed restriction to 3 bedroom. Motion (Pacheco/Sadeck). Mr. Charon says a deed restriction is usually looked upon unfavorably so he would like to know why there is a recommendation of a restriction. DEP doesn't require that Mr. Charon states. Selectman Sadeck withdraws his motion. Selectman Pacheco says if you agree with Mr. Bernardo then why do you not agree with the deed restriction. Mr. Charon asks why he would be putting in place a deed restriction that will need to have replaced. Mr. Bernardo says we already have had a few of these put in place and we have put a restriction in place of this. Mr. Charon says asks if he can have a letter be placed on file regarding the deed restriction with the registry. Selectman Pacheco says both of you are saying the same thing so what is the issue. Mr. Bernardo says the letter isn't going to work. Selectman Sadeck will make his motion again. Motion carries with the recommendation of the 3 bedroom deed restriction. Passed unanimously.

6:15 P.M. Public Meeting for Oral comments regarding Electrical Aggregation Program. No comments from the Public. Mr. Healey says it has been on the web site as well. Motion (Pacheco/Sadeck) to close the Oral comment period. Passed unanimously.

Signing of Biweekly payroll/vendor warrants
Weekly Public Discussion period

Consent Agenda:

Board of Selectmen: Action relative to:

- Street and Sidewalk Opening Permit for 18, 20 & 22 Chipaway Road for Water Service. Motion (Sadeck/Pacheco) to approve. Passed unanimously.

- Discuss/Sign Consent letter regarding acquisition of property from Acushnet presented by Town Administrator Jack Healey. Mr. Healey states we have been working with Nobis engineering and Freetown Screw has been demolished and the Feasibility study was done on Freetown screw and it concluded that once the contamination was removed that unless we acquired the adjacent site from Acushnet the senior housing would not be possible. The Plan is to do an ESA study that is necessary before applying to an engineering site. This will be included on the Annual Town Meeting warrant. Once this is done we can apply for approximately \$400,000. That will enable us to build the units on this plan and have the builder submit a plan describing what they would do. So we need to acquire the property first. Selectman Sadeck wants to know where the property is located. Tracey from Nobis explains this is lot 1 and is approximately 1.7 acres. The swale is on Acushnet Land. She states it is the next phase and is to conduct a sampling of the Acushnet land. You need to do this before applying for EPA clean up. The grants would be in the late fall. Selectman Sadeck asks if this is what the \$1500 is for what. Tracey says the Phase 1 EPA clean up is what it would cover. Selectman Sadeck says why can't you do this. Acushnet wouldn't give us access about 6 months ago. Tracey says you need to keep moving forward for MADev. Selectman Sadeck wants to know how you gain access. Mr. Healey says the Town meeting article is the way you do it. Selectman Sadeck says but Acushnet doesn't own the land. Mr. Healey says that is correct it is in Tax Title now and Acushnet would rather transfer it to us. John Ashley, Housing Authority, spoke with the Chairman of the Board and they said they would transfer it to use while it is in tax title. Selectman Sadeck says if they give it to us in Tax Title then we need to foreclose on it. Selectman Sadeck says why can't we talk to Acushnet to see how bad it is to see what it is like before we acquire it. Selectman Baumgartner asks Selectman Sadeck how long the foreclosures process it. He says it is a long process usually about a year. John Ashley says they already spend 2.5 million on this so I can't see that they will spend much more. Tracey says it really wasn't a clean-up it was a soil removal so there is probably a water contamination now. Selectman Baumgartner is hung up on the fact that Acushnet doesn't want us to look at the property. Jeanette Tisdelle, Housing Authority, wants to know why we can't deal directly with the current owner. John Ashley says because they don't want to deal with anyone. Walter Sawicki, Housing Authority, doesn't know if the Board has looked at the document from Semtek but site we have isn't sufficient now for housing but with the Acushnet site it would be beneficial. The Housing Authority would like to move forward with this and they understand that it complicates this but this site has water/sewer and bus. Selectman Pacheco says this is the Housing Authority's project and she will follow them on this. Motion (Pacheco/Sadeck) that Kopelman & Paige to represent Freetown and Acushnet and to sign the disclosure letter. Passed unanimously. John Ashley would like the money to be put into a separate account.
- Town Administrator's Report. Mr. Healey says the Ridgehill Rd. update and he will not be supporting an article on this because of prevailing wage and it now seems likely that there will be an onsite septic and also that the pipe can't be laid with accuracy and that it will be laid all for not. Letter from Town of Lakeville Town Administrator and that they will still be transferring funds from their stabilization fund. Also we have a request for all executive session minutes for 2014 and 2015, we will look them over and then give them to you for review. If the matters have been concluded then you can vote to release them. You can also redact them. Motion (Pacheco/Sadeck) that no minutes be release without consent and without the authority of the Board of Selectmen. Passed unanimously.
- Discuss changing Special and Annual Town Meeting date. Selectman Sadeck said the last meeting Mitzi said they changed it because of the final figures would be out and he would like to have better figures too. Motion (Sadeck/Baumgartner) for a June 15th change of meeting. Selectman Pacheco abstains. Motion passes.

- Right of First refusal on Parcel A-2 and Parcel B-2 as submitted by Jefferson Demoranville. Karen explains the lots in questions. Motion (Sadeck/Pacheco) to exercise the Town's Right of first refusal. Passed unanimously.
- Discuss/Vote on Articles for Special and Annual Town Meeting with Finance Committee. Selectman will discuss at a later meeting.
- Discuss/Vote on Budgets for Annual Town Meeting with Finance Committee. Selectman will discuss at a later meeting.

Board of Health:

- Discuss future health variances with Health Agent Kevin Bernardo. Kevin Bernardo would like to approve all future health variances that don't need abutter notifications. Selectman Pacheco would request a monthly list of anything that he approves. Selectman Sadeck says what would happen if tonight's issue happens. Mr. Bernardo says if this use came about then I would not approve but I would bring this up to the Board if it was going to be an issue. I would bring this up to the engineer. Motion (Pacheco/Baumgartner) to grant this 310CMR to be reviewed by Kevin Bernardo and review this in 6 months. Passed unanimously.

Personnel Board:

New Business

- Dates for upcoming Board of Selectmen Monday May 18th and Special and Annual Town Meeting June 15st.

Old Business:

- Key Fobs
- Status of 4 South Main Street Building
- Richmond Road Bridge

Motion to adjourn (Sadeck/Pacheco) 9:20 pm. Passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ali Golz".

Ali Golz, Administrative Assistant